

REMARKS

II. **Introduction**

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-6 are pending. Claim 1 is an independent claim. Claims 2-6 depend directly or indirectly from claim 1.

Claims 4 and 6 are currently amended. The change to claim 4 corrects an obvious typographical error. The changes to claim 6 are supported by the specification, for example, at page 7 lines 12-15. Therefore, no new matter has been added.

III. **The Objection to the Title of the Invention**

The title of the invention has been amended in accordance with the examiner's suggestion.

IV. **The Objections to the Specification**

The specification has been amended in accordance with the examiner's suggestion to correct the obvious typographical error. No new matter has been added.

V. **The Objections to the Claims - Claims 4 and 6**

Claims 4 and 6 have been amended in accordance with the examiner's suggestion. No new matter has been added.

VI. **The Rejection under 35 USC 112, First Paragraph - Claim 6**

This reply amends claim 6 to correct typographical errors. The changes to the claim 6 are supported, for example, at page 7 lines 12-15, and the active current source of the original specification. Therefore, no new matter has been added.

Claim 6, as amended, recites:

6. A method according to claim 4, further comprising the step of:
lowering said d.c. current of said digital or data terminal device after recognition of said off-hook condition at said digital or data terminal device and a beginning of a data transmission, *to approximately 5 mA* with an active current source. [Emphasis added]

Applicant submits that the specification, as originally filed, enables one of ordinary skill in the art to make and use the subject matter of claim 6. In reply to the examiner's observation that

original claim 6's reference to resistance measured in mA, amended claim 6 now recites "...lowering said d.c. current...to approximately 5 mA...." One of ordinary skill in the art would recognize that "mA" is an appropriate unit for measuring d.c. current. Therefore, claim 6, as amended, complies with the requirements of 35 USC 112, first paragraph. Therefore, the rejection of claim 6 under 35 USC 112, first paragraph, should be withdrawn.

VII. The Rejections under 35 USC 103(a) Based Upon U.S. Patent No. 5,422,939 to Kramer et al. - Claims 1, 2, and 4

A. Claim 1

Claim 1 recites:

1. A method in a communications system having a first terminal device and a second terminal device, said method *recognizing an off-hook condition* of said second terminal device at a two-wire subscriber line *in a switching center*, comprising the steps of:

acquiring a loop d.c. of a two-wire subscriber line with a first terminal device working in a first frequency band and comparing said acquired loop d.c. to a threshold, thus recognizing an off-hook condition of said first terminal device; and

comparing said loop d.c. to a *second threshold* that is *higher* than said first threshold *by a minimally required current level* in operating said first terminal device. [Emphasis added.]

1. Recognizing an off-hook condition in a switching center

Claim 1 defines recognizing an off-hook condition in a switching center. The subject matter of claim 1 is supported, for example, by the specification at page 5 lines 6-12 and in FIG. 1, showing indicator 7 in association with switching center/exchange 5.

In contrast, Kramer et al. shows in FIG. 1 that pick-up detector 126 is situated away from central office 120 and is associated with secondary communications equipment 112 connected to the subscriber premises end of telephone line 114. [Kramer et al. at col. 4 lines 15-21 and FIG. 1.] Therefore, Kramer et al does not disclose or suggest recognizing an off-hook condition *in a switching center*, as defined by claim 1. Therefore, Kramer et al. does not disclose or suggest the subject matter of claim 1. Therefore, the rejection of claim 1 is improper and should be withdrawn.

2. Second threshold higher by a minimally required current level

Claim 1 defines a second threshold higher by a minimally required current level. The subject matter of claim 1 is supported, for example, by the specification at page 4 lines 1-2, which states "[o]ne preferred embodiment sets the first threshold at approximately 10 mA," and at page 7 lines 12-14, which states "[f]ollowing the setup of the data connection, it is expedient to reduce the loop DC flowing during the data connection, for instance by raising the DC resistance with the assistance of an active current source or sink 8 to approximately 5 mA." Therefore, the specification discloses that the claimed "minimally required current level" could be, for example, 5 mA. Therefore, the claimed "second threshold that is higher than said first threshold by a minimally required current level," recited in claim 1, could be, for example, 10 mA + 5 mA, or 15 mA. Therefore, the applicant's specification supports a "first threshold" of 10mA, for example, and a "second threshold" of, 15 mA, for example.

Kramer et al. does not disclose or suggest either the claimed "second threshold" or the claimed "minimally required current level" recited in claim 1. Therefore, Kramer et al. does not disclose or suggest the subject matter of claim 1. Therefore, the rejection of claim 1 is improper and should be withdrawn.

B. Claims 2 and 4

Claims 2 and 4 depend from claim 1. Therefore, claims 2 and 4 define over Kramer et al. for at least the reasons given for claim 1.

VIII. The Rejection under 35 USC 103(a) Based Upon Kramer et al. in view of U.S. Patent No. 5,506,891 to Brown - Claim 3

Brown does not disclose or suggest recognizing an off-hook condition in a switching center and a second threshold that is higher...by a minimally required current level, as defined by claim 1. Claim 3 depends from claim 1. Therefore, Brown in combination with Kramer et al. does not disclose or suggest the subject matter of claim 1 or claim 3. Therefore, the rejection of claim 3 is improper and should be withdrawn.

IX. The Rejection under 35 USC 103(a) Based Upon Kramer et al. in view of U.S. Patent No. 5,398,277 to Martin, Jr. et al. - Claim 5

Martin, Jr. et al. does not disclose or suggest recognizing an off-hook condition in a

switching center and a second threshold that is higher...by a minimally required current level, as defined by claim 1. Claim 5 depends from claim 1. Therefore, Martin, Jr. et al. in combination with Kramer et al. does not disclose or suggest the subject matter of claim 1 or claim 5.

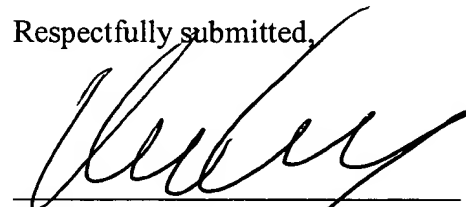
Therefore, the rejection of claim 5 is improper and should be withdrawn.

X. Conclusion

The applicant submits that claims 1-6, as presently amended, satisfy the requirements of 35 USC 112, first paragraph, and patentably define over the asserted references. Therefore, the present application is in condition for formal allowance.

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Respectfully submitted,



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